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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: February 28, 2007

Signature

(Lisa M. Terry)

Docket No.: 65858-0020
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Michael E. Farmer et al.

Application No.: 10/663,521

Confirmation No.: 1892

Filed: September 16, 2003

Art Unit: 2624

For: SYSTEM OR METHOD FOR IDENTIFYING A
REGION-OF-INTEREST IN AN IMAGE

Examiner: Not Yet Assigned

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION**PURSUANT TO 37 CFR 1.47 INVOLVING THE REFUSAL
OF A CO-INVENTOR TO EXECUTE THE POWER OF ATTORNEY**

Pursuant to 37 CFR 1.47, counsel for the inventors makes the above-identified Petition according to the following facts:

1. The Patent Office has issued A Notice to File Missing Parts of Nonprovisional Application—Filing Date Granted, on November 29, 2006.
2. As of today's date, The Combined Power of Attorney and Declaration document has been executed by Michael E. Farmer and Li Wen, but not Xuchang Chen.
3. As of today's date, all remaining issues raised in the Notice to File Missing Parts have been addressed.

Application No.: 10/663,521

4. At the time that the above-identified international application was filed, Eaton Corporation employed Mr. Chen. Sometime after the application was filed, Mr. Chen ceased his employment with Eaton Corporation. Papers showing the Assignment of the application by inventors Michael E. Farmer and Li Wen shall be filed shortly.

5. On December 7, 2004, a letter was sent to Xuchang Chen at his last known home address of 307 S. Division Street, Ann Arbor, MI 48104-2203, requesting that he execute The Combined Power of Attorney and Declaration document for the above-identified application, as shown in paragraph 2 of the letter. A copy of the letter as well as a copy of The Combined Power of Attorney and Declaration form sent to Mr. Chen is attached as Exhibit A. The executed declaration was never received from Mr. Chen.

6. On January 24, 2007, a second letter was sent to Xuchang Chen at his last known address again requesting execution of the declaration. The January 24, 2007 letter along with a copy of the Federal Express shipping label is attached as Exhibit B.

7. Confirmation that Mr. Chen in fact received the contents of Exhibit B is shown on the Federal Express Scan Detail Report attached as Exhibit C. It appears that the signature was released on behalf of the recipient, but the document was in fact delivered.

8. To this date, the executed declaration has still not been received from Xuchang Chen.

37 CFR 1.47(a) notes that if a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself or herself and the non-signing inventor. It is respectfully submitted that with the submission of the executed Combined Power of Attorney and Declaration document from all of the other inventors, the application for patent has been appropriately made by the other inventors. Further, in view of the facts noted above, it is respectfully submitted that diligent effort has been made to provide the non-signing inventor with the necessary document.

Application No.: 10/663,521

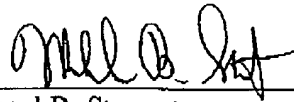
Docket No.: 65858-0020

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65858-0020 from which the undersigned is authorized to draw.

Dated: February 28, 2007

Respectfully submitted,

By



Michael B. Stewart

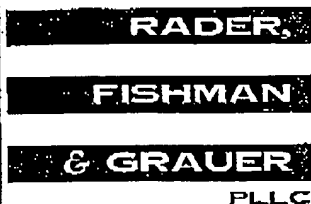
Registration No.: 36,018

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 10291

Attorney for Applicant

Exhibit A



39533 Woodward Avenue
Suite 140
Bloomfield Hills, Michigan 48304
Tel: (248) 594-0600
Fax: (248) 594-0610

Michael B. Stewart
(248) 594-0633
mbs@raderfishman.com

VIA FEDERAL EXPRESS

December 7, 2004

Xunchang Chen
307 S Division St
Ann Arbor, MI 48104-2203

Re: U.S. Patent Application No. 10/663,521 for IMAGE REGION OF INTEREST
EXTRACTION FOR PRELIMINARY IMAGE SEGMENTATION
Filing Date: September 16, 2003
Inventor: Michael B. Farmer et al.
Eaton No.: 02-rASD-160(SR); Our Reference: 65858-0020

Dear Mr. Chen:

As you know, we prepared and filed the above-identified patent application on which you are named as an inventor (a copy of the application is enclosed for your records).

Since you are a named inventor on this application, the U.S. Patent and Trademark Office requires that you sign a combined declaration and power of attorney regarding this application. As part of your previous employment with Eaton Corporation, and the fact that the invention was developed while you were with Eaton Corporation, we also need you to sign an assignment, formally transferring rights to the invention. We enclose copies of these papers for your signature. Your signature on the assignment must be witnessed by two people. Once the papers have been fully executed, please return them to our office. We have enclosed a self-addressed, stamped Federal Express envelope for the return of the papers. We kindly ask that you send the executed papers back to our office by **December 13, 2004**, for filing with the U.S. Patent and Trademark Office. We apologize for the short notice and believe you may have seen these papers before.

Of course, as an inventor, your name will appear on any issued patent. We would be happy to send you a copy of any such patent when it issues.

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Computer and Internet Law • Trade Secrets • Unfair Competition

Bloomfield Hills

Washington, D.C.

Salt Lake City

Tokyo



Xunchang Chen
December 7, 2004
Page 2

Thank you for your cooperation and prompt attention to this matter. Please contact us if you have any questions.

Very truly yours,

RADER, FISHMAN & GRAUER PLLC

Michael B. Stewart

MBS/amh
Enclosures

R0274026.DOC

RADER,

FISHMAN

& GRAUER

PLLC

Xunchang Chen
December 7, 2004
Page 3

bcc: Roger Johnston, Esq. (w/enc.)
Scott Rossi (w/enc.)

Attorney Docket No. 65008-0020/02-ASD-160(SR)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM OR METHOD FOR IDENTIFYING
A REGION-OF-INTEREST IN AN IMAGE**

the specification of which was filed on September 16, 2003 as Application No. 10/663,521.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

Attorney Docket No.: 05858-0020/02-rASD-160(SR)

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- ☒ no such U.S. provisional applications have been filed.
- ☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		Yes No
		Yes No
		Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☒ no such U.S./PCT applications have been filed.
- ☐ such U.S./PCT application have been filed as follows:

Attorney Docket No.. 05858-0020/02-rASD-160(SR)

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Michael B. Stewart	36,018
Roger A. Johnston	25,880
Loren H. Uthoff, Jr.	31,673
Kevin M. Hinman	35,193

I hereby appoint the practitioner(s) associated with **Customer Number 10291** to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

Please mail all correspondence to Michael B. Stewart, whose address is:

Rader, Fishman & Grauer PLLC
39533 Woodward Avenue
Suite 140
Bloomfield Hills, Michigan 48304

Please direct telephone calls to: Michael B. Stewart at (248) 594-0633.

Please direct facsimiles to: (248) 594-0610

Attorney Docket No.. J5858-0020/02-rASD-160(SR)

Full name of first inventor Michael E. Farmer	
Sole or first inventor's signature	Date
Residence West Bloomfield, Michigan	
Citizenship US	
Mailing Address 5119 Lake Bluff Road West Bloomfield, Michigan 48323	

Full name of second inventor Xunchang Chen	
Second inventor's signature	Date
Residence Ann Arbor, Michigan	
Citizenship China	
Mailing Address 307 S. Division Street Ann Arbor, MI 48104-2203	

Full name of third inventor Li Wen	
Third inventor's signature	Date
Residence Rochester, Michigan.	
Citizenship China	
Mailing Address 955 River Mist Drive Rochester, Michigan 48307	

R0204852

Exhibit B

RADER,**FISHMAN****& GRAUER**

PLLC

39533 Woodward Avenue
Suite 140
Bloomfield Hills, Michigan 48304
Tel: (248) 594-0600
Fax: (248) 594-0610

Michael B. Stewart
(248) 594-0633
mbs@raderfishman.com

VIA FEDERAL EXPRESS

January 24, 2007

Xunchang Chen
307 S Division St
Ann Arbor, MI 48104-2203

Re: U.S. Patent Application No. 10/663,521 for IMAGE REGION OF INTEREST
EXTRACTION FOR PRELIMINARY IMAGE SEGMENTATION
Filing Date: September 16, 2003
Inventor: Michael E. Farmer et al.
Eaton No.: 02-rASD-160(SR); Our Reference: 65858-0020

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Since you are a named inventor on this application, the U.S. Patent and Trademark Office requires that you sign a combined declaration and power of attorney regarding this application. As part of your previous employment with Eaton Corporation, and the fact that the invention was developed while you were with Eaton Corporation, we also need you to sign an assignment, formally transferring rights to the invention. We enclose copies of these papers for your signature. Your signature on the assignment must be witnessed by two people. Once the papers have been fully executed, please return them to our office. We have enclosed a self-addressed, stamped Federal Express envelope for the return of the papers. We kindly ask that you send the executed papers back to our office by January 29, 2007, for filing with the U.S. Patent and Trademark Office. We apologize for the short notice and believe you may have seen these papers before.

Of course, as an inventor, your name will appear on any issued patent. We would be happy to send you a copy of any such patent when it issues.

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Bloomfield Hills

Washington, D.C.

Salt Lake City

Tokyo

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FISHMAN

& GRAUER

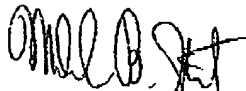
PLLC

Xunchang Chen
January 24, 2007
Page 2

Thank you for your cooperation and prompt attention to this matter. Please contact us if you have any questions.

Very truly yours,

RADER, FISHMAN & GRAUER PLLC



Michael B. Stewart

MBS/lmt
Enclosures

R0274026.DOC

RADER,

FISHMAN

& GRAUER

PLLC

Xunchang Chen
January 24, 2007
Page 3

bcc: Roger Johnston, Esq. (w/enc.)
Scott Rossi (w/enc.)

FedEx | Ship Manager | Label 7916 2267 4963

Page 1 of 1

From: Origin ID: DETA (248)594-0600
Lisa Terry
Rader, Fishman & Grauer
39533 Woodward Ave.
Suite 140
Bloomfield Hills, MI 48304



CL3012 07/2/03

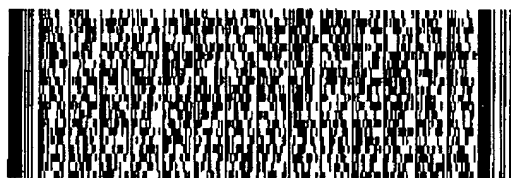
SHIP TO: (248)594-0600

BILL SENDER

Xunchang Chen

307 S. Division Street

Ann Arbor, MI 481042203



Ship Date: 24JAN07
ActWgt: 1 LB
System#: 8607164/INET2800
Account#: S *****

Delivery Address Bar Code



Ref # 65858-0020
Invoice #
PO #
Dept #

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THU

Deliver By:
25JAN07

TRK# 7916 2267 4963

FORM
0201

DTW A1

48104 -MI-US

66 ARBA



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Shipment Information**Tracking number:** 791622674963**Status:** Delivered**Signed for by:** Signature release on file**Service type:** Standard Envelope**Ship date:** Jan 24, 2007**Weight:** 0.5 lbs.**Delivery location:** Ann Arbor, MI**Delivery date:** Jan 25, 2007 13:01**Recipient:** Ann Arbor, MI US**Shipper:** Bloomfield Hills, MI US**Reference** 65858-0020**Account number**

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